

Amendments to the Claims

This listing of claims will replace all prior versions, and listings, of claims in the application:

Listing of Claims:

1.- 5. (canceled)

6. (currently amended) A method of determining predisposition to determine the degree of serum cholesterol elevation of greater than 239 mg/dL which that will occur in a human patient during treatment with an immuno-suppressant medication everolimus, said method comprising: a) determining assaying a blood sample obtained from the patient to determine for the two copies of the IL-1 β gene present in the patient the identity of the nucleotide pair at the polymorphic site -31 T→C (position 1903 of SEQ ID No.11) of the human IL-1 β gene, which is position 1903 of SEQ ID NO:11, wherein the presence of C at the polymorphic site in at least one copy of the IL-1 β gene indicates that the patient is predisposed to serum cholesterol elevation of greater than 239 mg/dL in response to treatment with everolimus; and

b) assigning the patient to a high cholesterol elevation group if both pairs are CG, assigning the patient to an intermediate cholesterol elevation group if one pair is AT and one pair is GC and assigning the patient to a low cholesterol elevation group if both pairs are AT, wherein said immuno-suppressant medication is at least one of rapamycin, everolimus, mycophenolic acid, mycophenolate mofetil, azathioprine, cyclosporine, or tacrolimus.

7. (currently amended) A method to treat a human patient with an immuno-suppressive medication everolimus comprising:

a) determining assaying a blood sample obtained from the patient to determine for the two copies of the IL-1 β gene present in the patient the identity of the nucleotide pair at the polymorphic site -31 T→C (position 1903 of SEQ ID No.11) of the human IL-1 β gene, which is position 1903 of SEQ ID NO:11; and

b) treating the patient with the immuno-suppression medication everolimus if the patient has a T at the polymorphic site in the two copies of the IL-1 β gene both pairs are AT and using alternative treatment if the patient has a C at the polymorphic site -31 T→C in at least one copy of the IL-1 β gene one pair is AT and one pair is GC or if both pairs are CG, wherein said immuno-suppressant medication is at least one of rapamycin, everolimus, mycophenolic acid, mycophenolate mofetil, azathioprine, cyclosporine, or tacrolimus.

8-9. (cancelled)

10. (currently amended) The method of claim 7 wherein the alternative treatment comprises treating the patient with everolimus and the addition of a cholesterol-lowering medication selected from the group consisting of chosen from a bile acid sequestrant sequestrant, a fibric acid derivative, an HMG-CoA reductase inhibitor, and nicotinic acid.

11-19. (Canceled).